IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 841 OF 2004

IN

APPEAL FROM ORDER NO. 47 OF 2004

MR.FRANCIS SIMON CABRAL AND 2 ORS., ...Applicants

Versus

MR.WILLIAM ROSARIO FERNANDES AND 5 ORS., ...Respondents

Mr. S. K. Kakodkar, Senior Advocate with Mr. J. J. D'Souza, advocate for the applicants.
Mr.Sudesh Usgaokar, advocate for the respondent nos.1 to 5.

Coram:- R. M. LODHA, J.

Date:- 23rd September, 2005

P.C.

Heard.

Mr.Sudesh Usgaokar, the learned counsel for the respondents no.1 to 5 invited my attention to the Order dated 5th November, 2004 passed by the learned Single Judge (B. H. Marlapalle, J.) who passed the Order dated 28th Ocrtober, 2004 clarifying that the deposit of Rs.30,00,000/- is a singular deposit which means that on the deposit of the said amount and not separately depositing Rs.30 lakhs in both the applications, thestay order passed earlier would operate. The clarification made by B. H. Marlapalle, J. in the Order dated 5th November, 2004 obviously has to be read in respect of Order dated 28th October, 2004 passed in Civil Application No.256/2004 in Appeal From Order no.47 of 2004 as well.

With the aforesaid observation the Miscellaneous Civil Application is disposed of.

R. M. LODHA, J.

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